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NO. 7044 P. 1

JUN 28 2007

**FAX TRANSMISSION****DATE:** June 28, 2007**PTO IDENTIFIER:** Application Number 10/593,809-Conf. #4923

Patent Number

**Inventor:** Prabhat Kumar et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** CONNOLLY BOVE LODGE & HUTZ LLP

Aaron R. Ettelman

**PHONE:** (302) 658-9141**Attorney Dkt. #:** 13194-00048-US**PAGES (Including Cover Sheet):** 11

**CONTENTS:** Fee Transmittal (1 page)  
One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)  
Response to Notification of Missing Requirements (1 page)  
Copy of Notification of Missing Requirements (2 pages)  
Declaration for Utility or Design Patent Application (37 CFR 1.63) (4 pages)  
Charge \$250.00 to deposit account 03-2775  
Certificate of Transmission (1 page)

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**CONNOLLY BOVE LODGE & HUTZ LLP**1007 North Orange Street, P.O. Box 2207, Wilmington, Delaware 19899  
Telephone: (302) 658-9141 Facsimile: (302) 658-5614

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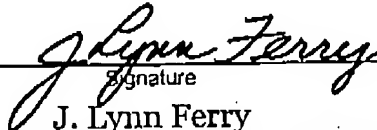
Application No. (if known): 10/593,809

Attorney Docket No.: 13194-00048-US

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on June 28, 2007  
Date

  
Signature

J. Lynn Ferry

Typed or printed name of person signing Certificate

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Fee Transmittal (1 page)

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JUN 28 2007

PTO/SB/17 (08-07)

Approved for use through 08/30/2007. OMB 0851-0052  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/09/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4018). <b>FEE TRANSMITTAL</b> <b>For FY 2007</b>		<b>Complete if Known</b> Application Number 10/593,809-Conf. #4923 Filing Date September 20, 2008 First Named Inventor Prabhat Kumar Examiner Name Not Yet Assigned Art Unit N/A Attorney Docket No. 13194-00048-US	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27			
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 250.00			

**METHOD OF PAYMENT (check all that apply)**

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 03-2775 Deposit Account Name: Connolly Bove Lodge & Hutz LLP  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = highest number of total claims paid for, if greater than 20.  
 Indep. Claims: \_\_\_\_\_ Extra Claims: \_\_\_\_\_ Fee (\$): \_\_\_\_\_ Fee Paid (\$): \_\_\_\_\_  
 HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

**4. OTHER FEE(S)**

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1251 Extension for response within first month	120.00
1051 Surcharge-Late oath or declaration	130.00

<b>SUBMITTED BY</b>		Registration No. 42,516	Telephone (302) 658-9141
Signature		(Attorney/Agent)	
Name (Print/Type)	Aaron R. Ettelman	Date	June 28, 2007

07/03/2007 6FREY1 00000099 032775 10593809

01 FC:1251  
02 FC:1617120.00 DA  
130.00 DA

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JUN 28 2007

Docket No.: 13194-00048-US  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Prabhat Kumar et al.

Conf. No.: 4923

Application No.: 10/593,809

Group Art Unit: N/A

Filed: September 20, 2006

Examiner: Not Yet Assigned

For: METHODS OF FORMING ALPHA AND  
BETA TANTALUM FILMS WITH  
CONTROLLED AND NEW  
MICROSTRUCTURES

MS PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed April 4, 2007 (enclosed herewith), Applicant respectfully submits the Declaration for Utility or Design Patent Application (37 CFR 1.63).

Please charge our Deposit Account No. 03-2775 in the amount of \$250.00 covering the fees set forth in 37 CFR 1.17(a)(1) and 1.16(f). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 13194-00048-US.

Dated: June 28, 2007

Respectfully submitted,

By 

Aaron R. Ettelman

Registration No.: 42,516

CONNOLLY BOVE LODGE & HUTZ LLP

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JUN 28 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/593,809	Jagdish Narayan	CH8498US/CH04-27US
INTERNATIONAL APPLICATION NO.		
PCT/US05/09763		
I.A. FILING DATE		PRIORITY DATE
03/24/2005		03/24/2004

157  
BAYER MATERIAL SCIENCE LLC  
100 BAYER ROAD  
PITTSBURGH, PA 15205

CONFIRMATION NO. 4923

371 FORMALITIES LETTER

\*OC000000023235092\*

Date Mailed: 04/04/2007

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/20/2006
- Copy of the International Search Report filed on 09/20/2006
- Information Disclosure Statements filed on 09/20/2006
- Request for Immediate Examination filed on 09/20/2006
- U.S. Basic National Fees filed on 09/20/2006
- Priority Documents filed on 09/20/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

APR 11 2007

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/593,809	PCT/US05/09763	CH8498US/CH04-27US

FORM PCT/DO/EO/905 (371 Formalities Notice)